

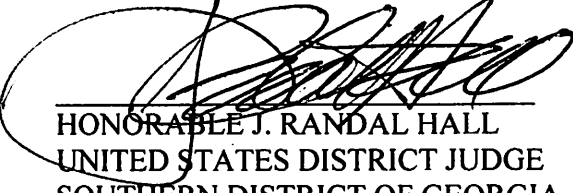
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

IAN HARRIS,)	
)	
Plaintiff,)	
)	
v.)	CV 114-040
)	
CARL C. BROWN, Judge,)	
Richmond County Superior Court,)	
)	
Defendant.)	

ORDER

After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which no objections have been filed. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff's request to proceed *in forma pauperis* is **DENIED**, his motion to dismiss is **MOOT**, and this action is **DISMISSED** without prejudice.¹ If Plaintiff wishes to proceed with the claims raised in this lawsuit, he must initiate a new lawsuit, which would require submission of a new complaint. Dupree v. Palmer, 284 F.3d 1234, 1236 (11th Cir. 2002) (*per curiam*).

SO ORDERED this 17th day of March, 2014, at Augusta, Georgia.



HONORABLE J. RANDAL HALL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA

¹Subsequent to issuance of the Report and Recommendation, Plaintiff moved to voluntarily dismiss his case without prejudice. (Doc. no. 5.) Because this action is subject to dismissal without prejudice for the reasons set forth in the Report and Recommendation, Plaintiff's motion to voluntarily dismiss is **MOOT**. See Cook v. Randolph County, 573 F.3d 1143, 1156 & n.7 (11th Cir. 2009) (noting that request becomes moot when requested relief has already been provided).